



# CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY NEWS RELEASE

---

## Department of Toxic Substances Control

---

**T -24- 03**

For Immediate Release  
July 15, 2003

Contact: Lisa Gray  
916.324.0936  
Ron Baker  
916.324.3142

### **New Regulations Implement Senate Bill 489 and Establish Hazardous Waste of Concern Reporting Requirements**

Sacramento --- The California Department of Toxic Substances Control (DTSC) today announced the approval of emergency regulations establishing a new regulatory category for hazardous wastes that could be used in a terrorist act. The category, "Hazardous Wastes of Concern", is required in statute by Senate Bill 489 (Romero 2002), and relates to hazardous wastes with the potential for use in a terrorist or criminal act to harm the public. The regulations implement new reporting requirements for transporters and treatment, storage, and disposal facilities that handle these wastes.

"We are complying with Governor Davis' directives to use our best practices to increase vigilance over hazardous waste and increase security at the most sensitive sites," said Ed Lowry, DTSC Director. "These new regulations are only part of a comprehensive plan by DTSC working as a partner with other state, local, and federal offices".

A hazardous waste of concern is a hazardous waste identified on a manifest as either an explosive material, a poisonous material, or a poisonous gas.

The regulations are expected to go into effect on July 11, 2003. On and after that date, any transporter or facility handling a hazardous waste of concern must:

- Report missing hazardous wastes of concern and manifest discrepancies by telephone to DTSC within one day and submit a written report within five days of the occurrence, and
- Submit a disclosure statement and fingerprints for a criminal background check, unless exempted

The adoption of the Hazardous Waste of Concern emergency regulations also triggers new requirements of the statute that will provide DTSC with useful enforcement information. Any transporter or facility that handles hazardous wastes of concern must submit detailed disclosure statements describing their compliance history and fingerprints from each person who owns five percent or more of the company. The law exempts some corporations from these requirements.

- - - M O R E - - -

Facilities handling hazardous wastes of concern must submit the disclosure statement and fingerprints before January 1, 2004. Transporters are required to submit the information with their 2004 transporter registration renewal.

Letters explaining the new regulations and statute were mailed to more than 1,000 businesses that operate hazardous waste facilities or are registered to transport hazardous waste. Businesses that handle hazardous wastes of concern were asked to notify DTSC for additional information. There are over 850 transporters of hazardous waste and approximately 145 facilities. The number that handle hazardous wastes of concern is unknown at this time.

The regulations, a list of the hazardous wastes of concern, letters to transporters and facilities, and disclosure statement guidance are available on the DTSC website at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

# # #

**The Department of Toxic Substances Control's mission is to restore, protect, and enhance the environment and ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.**

# # #

*"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov)."*